

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY BARBARIN,

Petitioner,

No. CIV S-04-0894 FCD KJM P

vs.

A.K. SCRIBNER, Warden,

Respondent.

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an amended petition for a writ of habeas corpus under 28 U.S.C. § 2254.

Because petitioner may be entitled to relief if the claimed violation of constitutional rights is proved, respondents will be directed to file a response to petitioner's amended habeas petition.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Respondents are directed to file a response to petitioner's habeas petition within sixty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases. An answer shall be accompanied by all transcripts and other documents relevant to the issues presented in the petition. See Rule 5, Fed. R. Governing § 2254 Cases;

1 2. If the response to the habeas petition is an answer, petitioner's reply, if any,
2 shall be filed and served within thirty days after service of the answer;

3 3. If the response to the habeas petition is a motion, petitioner's opposition or
4 statement of non-opposition to the motion shall be filed and served within thirty days after
5 service of the motion, and respondents' reply, if any, shall be filed and served within fifteen days
6 thereafter; and

7 4. The Clerk of the Court shall serve a copy of this order together with a copy of
8 the amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on Jo Graves,
9 Senior Assistant Attorney General.

10 DATED: June 15, 2005.

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13 UNITED STATES MAGISTRATE JUDGE
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